

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GISSELLE RUIZ,)
Individually and on behalf of all others)
Similarly situated,)
Plaintiff)
v.) Civil Action No.05-11052 NMG
BALLY TOTAL FITNESS HOLDING CORP.,)
A Delaware Corporation, and)
HOLIDAY UNIVERSAL, INC.,)
A Delaware Corporation,)
Defendants)

AFFIDAVIT OF NORMAN T. FINKEL

Norman T. Finkel, being duly sworn, hereby deposes and says:

1. I am an attorney with the law firm of Young, Finkel & Silbert Limited.

Young, Finkel & Silbert Limited has been retained to represent Defendants Bally Total Fitness Holding Corp. ("Bally") and Holiday Universal, Inc. ("Holiday") in the matter of Gisselle Ruiz v. Bally Total Fitness Holding Corp. and Holiday Universal, Inc., Civil Action No.: 05-11052 NMG. I submit this Affidavit pursuant to Local Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts

2. I am a member of the Bar of the State of Illinois.

3. I am a member of the Bar in good standing in every jurisdiction in which I have been admitted to practice and there are no disciplinary proceedings pending against me as a member of the Bar in any jurisdiction.

4. I am familiar with the Local Rules of the United States District Court for
the District of Massachusetts.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 7th DAY
OF MARCH, 2006.

/s/ Norman T. Finkel

Norman T. Finkel, Esq.
Young, Finkel & Silbert Limited
33 North La Salle Street, Suite 900
Chicago, IL 60602

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Defendants)
)

**ASSENTED-TO MOTION TO ADMIT
NORMAN T. FINKEL PRO HAC VICE**

Defendants, Bally Total Fitness Holding Corp. ("Bally") and Holiday Universal, Inc. ("Holiday"), through the undersigned counsel, Juliet A. Davison, respectfully requests, pursuant to Local Rule 83.5.3, that the Court admit Norman T. Finkel pro hac vice for purposes of the above-captioned matter and states:

1. The undersigned is an attorney with the law firm of Todd & Weld LLP and is a member in good standing of the Bar of the Commonwealth of Massachusetts, the Bar of the United States District Court for the District of Massachusetts and the Bar of the United States Court of Appeals for the First Circuit.

2. Norman T. Finkel is an attorney with the law firm of Young, Finkel, & Silbert Limited of Chicago, Illinois and with counsel from Todd & Weld LLP represents Defendants, Bally and Holiday in this action.

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3. As shown by his Affidavit attached hereto as Exhibit A (i) Messr. Finkel is a member in good standing of the Bar in every jurisdiction in which he has been admitted to practice; (ii) there are no disciplinary proceedings pending against Messr. Finkel as a member of the Bar in any jurisdiction; and (iii) he is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

4. The undersigned will serve as co-counsel with Messr. Finkel for Defendants Bally and Holiday in this matter.

Wherefore, Defendants Bally and Holiday request an Order admitting attorney Norman T. Finkel pro hac vice.

Respectfully submitted,

BALLY TOTAL FITNESS HOLDING
CORP. and HOLIDAY UNIVERSAL, INC.,

By its attorney,

/s/ Juliet A. Davison

Howard M. Cooper, Esq., BBO #543842
Juliet A. Davison, Esq., BBO #562289
Todd & Weld LLP
28 State Street, 31st Floor
Boston, Massachusetts 02109
(617) 720-2626
jdavison@toddweld.com

Date: March 7, 2006

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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that, pursuant to L.R., D. Mass. 7.1(A)(2), counsel for both parties conferred on March 7, 2006 and Plaintiff's counsel assented to the admission of Attorney Norman T. Finkel pro hac vice.

/s/ Juliet A. Davison

Juliet A. Davison

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CERTIFICATE OF SERVICE

I, Juliet A. Davison, hereby certify that on this 7th day of March, 2006, this Motion to Admit Norman T. Finkel pro hac vice filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Juliet A. Davison
Juliet A. Davison